

REMARKS

1. Claims 1-21 are pending and stand rejected in the application. This communication amends claims 1, 2, 4, 5, 7, 8, 10, 11, 13, 16 and 19. Reconsideration of this application is respectfully requested.

2. Paragraph [0010] of the disclosure has been amended to eliminate the incomplete sentence recited therein. Accordingly, withdrawal of the objection to the disclosure is respectfully urged.

3. Claims 1-3 stand rejected under 35 USC 102(b) as being anticipated by the document entitled "Macroblock-based Progressive Fine Granularity Scalable (PFGS) Video Coding With Flexible Temporal-SNR Scalabilities" to Sun *et al.* (Sun).

In response, independent claim 1 has been amended to recite "*...coding the residual image frames into a data-stream of SNR quality frames...constructing extended base layer reference frames, each of the extended base layer reference frames constructed from one of the base layer frames and at least a portion of one of the SNR quality frames... .*"

Sun does not expressly or inherently describe constructing each extended base layer reference frame from a base layer frame and at least a portion of a SNR quality frame, as presently claimed. Instead, Sun describes on page 1026, column 1, first paragraph "reconstructing the high quality references from the previous high quality reference and low quality reference alternately." Accordingly, claim 1 is not anticipated by Sun. Claims 2 and 3 are also not anticipated by Sun for at least the same reasons as set forth with respect to claim 1, from which claims 2 and 3 depend. Therefore, withdrawal of this rejection is respectfully urged.

4. Claims 4-6 stand rejected under 35 USC 103(a) as being unpatentable over Sun.

In response, independent claim 4 has been amended to recite "*...coding the residual image frames into a data-stream of SNR quality frames...constructing extended base layer reference frames, each of the extended base layer reference frames constructed*

from *one of* the base layer frames and at least *a portion of one of* the SNR quality frames... .”

Sun does not teach or suggest constructing each extended base layer reference frame from a base layer frame and at least a portion of a SNR quality frame, as presently claimed. Instead, Sun teaches on page 1026, column 1, first paragraph “reconstructing the high quality references from the previous high quality reference and low quality reference alternately.” Accordingly, claim 4 is patentable over Sun. Claims 5 and 6 are also patentable over Sun for at least the same reasons as set forth with respect to claim 4, from which claims 5 and 6 depend. Therefore, withdrawal of this rejection is respectfully urged.

5. Claims 7-21 stand rejected under 35 USC 103(a) as being unpatentable over Sun in view of U.S. Patent 6,700,933 to Wu *et al.* (Wu).

In response, independent claims 7 and 10 have each been amended to recite “...coding the residual image frames into a data-stream of SNR quality frames...constructing extended base layer reference frames, *each of the extended base layer reference frames constructed from one of* the base layer frames and at least a portion of *one of* the SNR quality frames... .” Independent claims 13, 16 and 19 have each been amended to recite “...*each of the extended base layer reference frames constructed from one of* the base layer frames and at least *a portion of one of* the SNR quality frames... .”

Sun does not teach or suggest constructing each extended base layer reference frame from a base layer frame and at least a portion of a SNR quality frame, as presently claimed. Instead, Sun teaches on page 1026, column 1, first paragraph “reconstructing the high quality references from the previous high quality reference and low quality reference alternately.”

Wu fails to cure the deficiencies of Sun, as Wu does not teach or suggest constructing each extended base layer reference frame from one base layer frame and at least a portion of an SNR quality frame, as presently claimed. Accordingly, claims 7, 10, 13, 16 and 19 are patentable over Sun in view of Wu. Claims 8-9, 11-12, 14-15, 17-18 and 20-21 are also patentable over Sun in view of Wu for at least the same reasons as set

forth with respect to claims 7, 10, 13, 16 and 19, from which these claims respectively depend. Therefore, withdrawal of this rejection is respectfully urged.

6. Favorable reconsideration of this application is respectfully requested as it is believed that all outstanding issues have been addressed herein and, further, that claims 1-21 are in condition for allowance, early notification of which is earnestly solicited. Should there be any questions or matters whose resolution may be advanced by a telephone call, the examiner is cordially invited to contact applicants' undersigned attorney at his number listed below.

7. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17, which are associated with this communication, or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,



PAUL A. SCHWARZ
Registration No. 37,577

Duane Morris LLP
P.O. Box 5203
Princeton, NJ 08543-5203
609-631-2446 – Tel
609-631-2401 – Fax